

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
TUESDAY, JULY 20, 2004
AT 9:00 A.M.**

NOTE: In accordance with the San Diego City Council Temporary Rule for Noticing and Conduct of Closed Session Meetings, adopted on March 29, 2004, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. Please see the Open Session Agenda to determine when such matters may be heard.

Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

**CS-1 *Paulson v. City of San Diego*
United States District Court No. 89cv00820-GT(POR)**

DCA assigned: Chapin

This matter concerns the Mt. Soledad cross and is the subject of an open session hearing before the City Council on Tuesday, July 20, 2004. In Closed Session, the City Attorney will brief the City Council on the implications of the case for the open session hearing.

**CS-2 *Over Natural Gas Costs in 2000-2001*
San Diego Superior Court Natural Gas Anti-Trust Cases I, II, III, and IV;
JCC Nos. 4221, 4224, 4226, and 4228**

DCA assigned: Ortlieb

This matter involves a pending class action suit against retail sellers of natural gas, including Sempra Energy and some of its affiliates, for anti-competitive acts and unfair business practices in 2000 and 2001. In Closed Session, the City Attorney will discuss the class action with the City Council, whether to remain represented that class, and whether to pursue other options including separate litigation.

Conference with Legal Counsel - anticipated litigation - significant exposure to litigation, pursuant to California Government Code section 54956.9(b):

CS-3 *Miramar and North City Landfill Gas Cogeneration Projects*

DCA assigned: Ortlieb

This matter concerns a contract dispute arising from several interrelated agreements for the “privatized” Miramar Landfill Gas Collection System [Gas Agreement], the Miramar Cogeneration Facility Agreement [Miramar Agreement] and North City Cogeneration Facility Agreement [North City Agreement]. In Closed Session, the City Attorney will report to the City Council on the conduct of negotiations to finalize a settlement agreement.

Conference with Legal Counsel - anticipated litigation - initiation of litigation, pursuant to California Government Code section 54956.9(c):

CS-4 *Over Natural Gas Costs in 2000-2001*

DCA assigned: Ortlieb

This matter involves a pending class action suit against retail sellers of natural gas, including Sempra Energy and some of its affiliates, for anti-competitive acts and unfair business practices in 2000 and 2001. In Closed Session, the City Attorney will discuss the class action with the City Council, whether to remain represented that class, and whether to pursue other options including separate litigation.